REMARKS

This application has been carefully reviewed in light of the Office Action dated February 17, 2010. Claims 1, 4 to 7, 10 to 13 and 16 to 18 remain in the application, of which Claims 1, 7 and 13 are independent. Reconsideration and further examination are respectfully requested.

Claims 1, 7 and 13 were rejected under 35 U.S.C. § 103 over U.S. Patent No. 6,961,137 (Tamura) in view of U.S. Publication No. 2003/0164986 (Boire-Lavigne) and further in view of "Next-Generation VoIP Network Architecture" (Drew), Claims 4, 10 and 16 were rejected under § 103(a) over Tamura, Boire-Lavigne and Drew and further in view of U.S. Publication No. 2003/0026400 (Bashoura), Claims 5, 11 and 17 were rejected under § 103(a) over Tamura, Boire-Lavigne and Drew and further in view of U.S. Publication No. 2002/0001302 (Pickett), and Claims 6, 12 and 18 were rejected under § 103(a) Tamura, Boire-Lavigne and Drew and further in view of U.S. Publication No. 2004/0001221 (McCallum). Reconsideration and withdrawal of the rejections are respectfully requested.

The claims are directed to, among other features, an IP address of a destination station obtained from an SIP proxy server is used in either image communication using a predetermined protocol independent of a facsimile protocol or image communication utilizing a VoIP. With this configuration, ina system using SIP in common with the destination station, an image can be transmitted in high speed using the predetermined protocol independent of the facsimile protocol and also a facsimile signal can be converted into VoIP data for transmission, so as to be compatible with a

communication faculty of the destination station, whereby reliable image communication can be conducted.

Referring specifically to the claims, amended independent Claim 1 is directed to a communication apparatus which includes IP (Internet Protocol) communication means and transmits/receives communication data to/from a destination station discriminated by a telephone number, comprising IP address obtaining means for obtaining an IP address of the destination station from an SIP (Session Initiation Protocol) proxy server based on the telephone number of the destination station, facsimile communication means for performing facsimile communication to/from the destination station, converting means for converting a signal received/transmitted from/to the facsimile communication means without via a line switching network, into VoIP (Voice over Internet Protocol) data on an IP network, IP network connecting means for connecting to the IP network, and control means for controlling to, if the destination station is able to transmit/receive communication data on the IP network based on a predetermined file transmit/receive protocol independent of a facsimile protocol, start to transmit/receive image data to/from the destination station based on the predetermined file transmit/receive protocol independent of the facsimile protocol, via the IP network connecting means without via the line switching network, using the obtained IP address of the destination station, in response to the acquirement of the IP address by the IP address obtaining means, and if the destination station is not able to transmit/receive communication data on the IP network based on the predetermined file transmit/receive protocol independent of the facsimile protocol, cause the facsimile communication means to start transmission/reception of image data to/from the destination station, causing the converting

means to execute conversion of the signal that the facsimile communication means transmits/receives to the VoIP data to transmit/receive, without via the line switching network, thus converted signal to/from the destination station via the IP network connecting means, in response to the acquirement of the IP address of the destination station by the IP address obtaining means.

Claims 7 and 13 are method and computer medium claims, respectively, that substantially correspond to Claim 1.

The applied art, alone or in any permissible combination, is not seen to disclose or to suggest the features of the invention, and in particular, is not seen to disclose or to suggest at least the features of a communication apparatus having a control means for controlling to, if the destination station is able to transmit/receive communication data on the IP network based on a predetermined file transmit/receive protocol independent of a facsimile protocol, start to transmit/receive image data to/from the destination station based on the predetermined file transmit/receive protocol independent of the facsimile protocol, via the IP network connecting means without via the line switching network, using the obtained IP address of the destination station, in response to the acquirement of the IP address by the IP address obtaining means, and if the destination station is not able to transmit/receive communication data on the IP network based on the predetermined file transmit/receive protocol independent of the facsimile protocol, cause the facsimile communication means to start transmission/reception of image data to/from the destination station, causing the converting means to execute conversion of the signal that the facsimile communication means transmits/receives to the VoIP data to transmit/receive, without via the line switching network, thus converted signal to/from the destination station via the IP

network connecting means, in response to the acquirement of the IP address of the destination station by the IP address obtaining means.

Tamura is seen to disclose Internet fax devices that are capable of exchanging fax images over a PTSN and are also capable of exchanging message over the Internet. An Internet fax devices is called via the PTSN, and if it has Internet capabilities, it provides such an indication, whereby the calling device sends a URL of a fax image on a server to the called device so that the called Internet fax device receives the fax image from the server. Applicant fails to see a disclosure in Tamura in which SIP is utilized. Moreover, Tamura is not seen to teach the features of a communication apparatus having a control means for controlling to, if the destination station is able to transmit/receive communication data on the IP network based on a predetermined file transmit/receive protocol independent of a facsimile protocol, start to transmit/receive image data to/from the destination station based on the predetermined file transmit/receive protocol independent of the facsimile protocol, via the IP network connecting means without via the line switching network, using the obtained IP address of the destination station, in response to the acquirement of the IP address by the IP address obtaining means, and if the destination station is not able to transmit/receive communication data on the IP network based on the predetermined file transmit/receive protocol independent of the facsimile protocol, cause the facsimile communication means to start transmission/reception of image data to/from the destination station, causing the converting means to execute conversion of the signal that the facsimile communication means transmits/receives to the VoIP data to transmit/receive, without via the line switching network, thus converted signal

to/from the destination station via the IP network connecting means, in response to the acquirement of the IP address of the destination station by the IP address obtaining means.

Boire-Lavigne is seen to disclose that a facsimile communication apparatus and a VoIP gateway communicate with each other via a line switching network (PSTN). When the facsimile communication apparatus communicates with a destination station using a VoIP network (IP Network), the line switching network (PSTN) is used, so that a phone line charge for using the line switching network is required. Boire-Lavigne is also seen to disclose the use of a T.38 communication which is dependent on the facsimile protocol. Accordingly, Boire-Lavigne is not seen to teach anything that, when combined with Tamura, would have resulted in at least the features of a communication apparatus having a control means for controlling to, if the destination station is able to transmit/receive communication data on the IP network based on a predetermined file transmit/receive protocol independent of a facsimile protocol, start to transmit/receive image data to/from the destination station based on the predetermined file transmit/receive protocol independent of the facsimile protocol, via the IP network connecting means without via the line switching network, using the obtained IP address of the destination station, in response to the acquirement of the IP address by the IP address obtaining means, and if the destination station is not able to transmit/receive communication data on the IP network based on the predetermined file transmit/receive protocol independent of the facsimile protocol, cause the facsimile communication means to start transmission/reception of image data to/from the destination station, causing the converting means to execute conversion of the signal that the facsimile communication means transmits/receives to the VoIP data to transmit/receive, without via the line switching

network, thus converted signal to/from the destination station via the IP network connecting means, in response to the acquirement of the IP address of the destination station by the IP address obtaining means.

Drew is merely seen to disclose a network architecture for VoIP. However, Drew, is not seen to teach anything that, when combined with Tamura and/or Boire-Lavigne, would have resulted in at least the features of a communication apparatus having a control means for controlling to, if the destination station is able to transmit/receive communication data on the IP network based on a predetermined file transmit/receive protocol independent of a facsimile protocol, start to transmit/receive image data to/from the destination station based on the predetermined file transmit/receive protocol independent of the facsimile protocol, via the IP network connecting means without via the line switching network, using the obtained IP address of the destination station, in response to the acquirement of the IP address by the IP address obtaining means, and if the destination station is not able to transmit/receive communication data on the IP network based on the predetermined file transmit/receive protocol independent of the facsimile protocol, cause the facsimile communication means to start transmission/reception of image data to/from the destination station, causing the converting means to execute conversion of the signal that the facsimile communication means transmits/receives to the VoIP data to transmit/receive, without via the line switching network, thus converted signal to/from the destination station via the IP network connecting means, in response to the acquirement of the IP address of the destination station by the IP address obtaining means.

Bashoura, Pickett and McCallum have been studied but none of those references are seen to teach anything that, when combined with Tamura, Boire-Lavigne

and/or Drew, would have resulted in at least the features of a communication apparatus having a control means for controlling to, if the destination station is able to transmit/receive communication data on the IP network based on a predetermined file transmit/receive protocol independent of a facsimile protocol, start to transmit/receive image data to/from the destination station based on the predetermined file transmit/receive protocol independent of the facsimile protocol, via the IP network connecting means without via the line switching network, using the obtained IP address of the destination station, in response to the acquirement of the IP address by the IP address obtaining means, and if the destination station is not able to transmit/receive communication data on the IP network based on the predetermined file transmit/receive protocol independent of the facsimile protocol, cause the facsimile communication means to start transmission/reception of image data to/from the destination station, causing the converting means to execute conversion of the signal that the facsimile communication means transmits/receives to the VoIP data to transmit/receive, without via the line switching network, thus converted signal to/from the destination station via the IP network connecting means, in response to the acquirement of the IP address of the destination station by the IP address obtaining means.

In view of the foregoing amendments and remarks, amended independent Claims 1, 7 and 13, as well as the claims dependent therefrom, are believed to be allowable.

No other matters having been raised, the entire application is believe to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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